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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,721	05/08/2001	Suresh Singamsetty Kumar	004939.P006	3643
5073	7590	06/15/2004	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			CAO, DIEM K	
			ART UNIT	PAPER NUMBER
			2126	6
DATE MAILED: 06/15/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/851,721	KUMAR ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Diem K Cao	2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 May 2001.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2-15-2002</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

### **DETAILED ACTION**

1. Claims 1-20 are presented for examination.
2. The cross reference related to the application cited in the specification must be updated (i.e. update the relevant status, with PTO serial numbers where appropriate, on page 2, lines 2-3).

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-20 do not specify what is the use and purpose of the claimed invention.

Correction is required.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen (U.S. 5,727,214) in view of Pai (Flash: An efficient and portable Web server).

7. **As to claim 1**, Allen teaches a finite state machine operating within a thread environment (cursor state machine; col. 7, line 65 – col. 8, line 14), one or more message generators configured to pass event information contained in message to the finite state machine (Event ... function new\_event (), port of origin; col. 7, line 66- col. 8, line 5 and New\_event() is the procedure called by a process sending an event to the object; col. 9, lines 1-6), wherein the finite state machine changes states according to the event information (The object lock state machine, the main cursor state machine; col. 8, lines 25-57 and Figs. 7A, 7B and Accept\_event () ... state transitions in the cursor state machine 126; col. 9, lines 30-33).

8. However, Allen does not teach a portable thread environment. Pai teaches a portable thread environment (portable Web server; page 1, right column, 4 paragraph).

9. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Allen and Pai because portable thread environment will improve the performance of Allen's system by combining the high performance of single-process event-driven servers on cached workloads with the performance of multi-process and multi-threaded servers on disk-bound workloads (abstract).

10. **As to claim 2**, Allen teaches the event information comprises one or more events passed to a thread and a present state of the finite state machine (the software object ... a single thread

object; col. 8, lines 1-5 and When an object's port ... cursor state machine for use in objects having asynchronous ports; col. 8, lines 11-15).

11. **As to claim 3**, Allen teaches a message interpreter configured to accept the messages (The event dispatcher ... for the main system; col. 3, lines 58-65), wherein the interpreter maps the messages to actions using the look-up table (The event dispatcher utilizes a disposition ... of the major state variable; col. 4, lines 18-22 and col. 3, line 66 – col. 4, line 5 and col. 11, lines 1-11).

12. **As to claim 4**, Allen teaches the finite state machine further comprises a storage device for storing the one or more action (every port is endowed with a set of disposition ... events; col. 11, lines 31-41 and a Disposition Rank Matrix 200; col. 12, lines 7-11).

13. **As to claim 5**, Allen teaches the finite state machine further comprises a state changer configured to change the state of the finite state machine based upon event information and the previous state of the finite state machine (Accept\_event() ... cursor state machine 126; col. 9, lines 30-33 and Figs. 7A-7B).

14. **As to claim 6**, see rejections of claims 1 and 5 above.

15. **As to claim 7**, Allen teaches the finite state machine stays in the first state based upon the first state and the action (Object Locked state; Fig. 7A and Event submitted state; Fig. 7B).

16. **As to claim 8,** Allen teaches generating state machine events relating to the state of the finite state machine (Event Dispatching, it can also calls to new\_event() to submit additional events to itself or to another object; col. 10, lines 27-44).

17. **As to claim 9,** Allen as modified teaches distributing the state machine events between one or more threads in the portable thread environment (to itself or to another object; col. 10, lines 40-44).

18. **As to claim 10,** Allen as modified teaches distributing the state machine events between one or more threads in the portable thread environment and a second portable thread environment (it can also calls to new\_event() to submit additional events to itself or to another object; col. 10, lines 27-44 and Jam\_event; col. 9, lines 48-52 and Band State Machine; col. 7, lines 6 -33).

19. **As to system and computer product claims 11 and 16,** they correspond to the method claim of claim 6, respectively.

20. **As to claims 12 and 17,** see rejection of claim 7 above.

21. **As to claims 13 and 18,** see rejection of claim 8 above.

22. **As to claims 14 and 19**, see rejection of claim 9 above.

23. **As to claims 15 and 20**, see rejection of claim 10 above.

***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kasuya (U.S. 5,905,883) teaches "Verification system for circuit simulator".
- Barnabas Projects Limited teaches "State-Event Executive User Guide".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K Cao whose telephone number is (703) 305-5220. The examiner can normally be reached on Monday - Thursday, 9:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner for Patents

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Diem Cao

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